

MANUFACTURING CHEMISTS ASSOCIATION

Technical Task Group on Vinyl Chloride Research

C O N F I D E N T I A L

Letter Ballot

Complete and Return by February 8, 1974 to

Dr. Kenneth D. Johnson
Manufacturing Chemists Association
1825 Connecticut Avenue, N.W.
Washington, D. C. 20009

The Research Coordinators have asked that the TTGVCR recommend to the Management Contacts of Companies Supporting the Vinyl Chloride Research Program that the sponsors contribute the sum of \$50,000 for the immediate support of studies on the metabolism of vinyl chloride monomer, \$20,000 for the support of teratology studies with vinyl chloride monomer, and \$10,000 in contingency funds.

☒ I approve the recommendations with respect to both studies

☐ I approve the recommendations with respect to the metabolism studies only

☐ I approve the recommendations with respect to the teratology studies only

☐ I disapprove of both proposals

Signed W S Ferguson

Name (typed) W. S. Ferguson

Title Director of Occupational Health and Product Safety

Company Allied Chemical Corporation

Address P.O. Box #1057

Morristown, New Jersey 07960

C O N F I D E N T I A L

ASI 00007449

Applications for disaster loans under this announcement must be filed not later than March 19, 1974.

Dated: January 18, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc. 74-2073 Filed 1-29-74; 8:45 am]

VETERANS ADMINISTRATION

ADVISORY COMMITTEE ON STRUCTURAL SAFETY OF VETERANS ADMINISTRATION FACILITIES

Notice of Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463 that a meeting of the Advisory Committee on Structural Safety of Veterans Administration Facilities will be held in Room 442 at the Veterans Administration Central Office, 811 Vermont Avenue, NW, Washington, DC on February 22, 1974, at 10 a.m. The committee members will review Veterans Administration construction standards and criteria relating to fire, earthquake, and other disaster resistant construction.

The meeting will be open to the public up to the seating capacity of the room. Because of the limited seating capacity it will be necessary for those wishing to attend to contact Mr. James Lefter, Director, Civil Engineering Service, Office of Construction, VA Central Office (phone 202-389-2888), prior to February 19, 1974.

Dated: January 22, 1974.

By direction of the Administrator.

(SEAL) ROYCE H. WILSON,
Associate Deputy Administrator.

[FR Doc. 74-2418 Filed 1-29-74; 8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

POSSIBLE HAZARDS OF VINYL CHLORIDE MANUFACTURE AND USE

Request for Information and Notice of Fact-Finding Hearing

Notice is hereby given that the Occupational Safety and Health Administration is requesting information on possible hazards associated with the manufacture and/or use of vinyl chloride (chloroethene, Chemical Abstracts Service Registry Number 75014).

The Administration requests information including, but not necessarily limited to:

- (1) The toxicity of vinyl chloride;
- (2) The toxicity of other chemicals involved in the manufacture and use of vinyl chloride;
- (3) The technologies involved in the production and use of vinyl chloride;
- (4) Employee populations potentially or actually exposed to vinyl chloride or other chemicals, and involved in the production and/or use of vinyl chloride;
- (5) Epidemiological studies of effects of vinyl chloride and other chemicals used in the manufacture or use of vinyl chloride on populations, employees or otherwise; and

(6) Whether the available information warrants the issuance of an Emergency Temporary Standard, or the commencement of a regular rulemaking under section 6(b) of the Occupational Safety and Health Act.

Written data may be mailed or delivered to the Office of Standards, Attn: Docket OSH-36, Occupational Safety and Health Administration, Room 202, 1726 M Street NW, Washington, D.C. 20210, not later than February 28, 1974. The data will be available for public inspection and copying at the OSHA Public Reading Room, Room 203, 1726 M Street NW, Washington, D.C. 20210.

Oral presentation of data will also be received by an administrative law judge at an informal fact-finding hearing beginning at 10 a.m., e.d.t., on Friday, February 15, 1974, Conference Room B, Departmental Auditorium, Constitution Avenue NW, between 12th and 14th Streets, Washington, D.C.

Persons desiring to appear at the hearing must file with J. Goodell, Attn: Docket OSH-36, Office of Standards, Occupational Safety and Health Administration, Room 203, 1726 M Street NW, Washington, D.C. 20210, a written notice of intention to appear, in triplicate. Notice should be filed as soon as possible, but will be accepted by the Management Officer at the hearing until the pre-hearing conference begins. The notice should state: The name and address of the person wishing to appear; the capacity in which he will appear; and the approximate amount of time required for the presentation. The notice should also include, or be accompanied by, a brief statement of the presentation to be made.

Beginning at 9:30 a.m., e.d.t., on February 15, 1974, the presiding Administrative Law Judge will hold a pre-hearing conference in order to establish the order and time for the presentations, and in order to settle any other matter relating to the proceedings.

The oral proceedings shall be reported verbatim. The use of prepared statements by witnesses is encouraged. All documents that are intended to be submitted should be submitted in triplicate (original and two copies).

The administrative law judge shall have all the powers necessary or appropriate to conduct a fair and full informal hearing, including the powers:

- (a) To regulate the course of the hearing;
 - (b) To dispose of procedural requests, objections, and comparable matters;
 - (c) To confine the presentations to matters pertinent to the requested information;
 - (d) To regulate the conduct of those present at the hearing by appropriate means;
 - (e) In his discretion, to question and permit questioning of any witness; and
 - (f) In his discretion, to keep the record open for a reasonable stated time to receive written data from any person who has participated in the oral proceeding.
- Following the close of the hearing, the

presiding officer shall certify the report thereof to the Assistant Secretary of Labor for Occupational Safety and Health.

Signed at Washington, D.C., this 25th day of January 1974.

JOHN H. STENDER,
Assistant Secretary of Labor.
[FR Doc. 74-2604 Filed 1-29-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 474]

ASSIGNMENT OF HEARINGS

JANUARY 25, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after January 30, 1974.

MC-6679 Sub 66, Brown Transport Corp., MC 134153 Sub 2, Gay Trucking Co., Inc., MC 136285 Sub 3, Southern International Logistics, Inc., MC 136230, Interstate Warehousing, Corp., now assigned March 12, 1974, will be held at the Holiday Inn—Downtown, 175 Piedmont Avenue, Atlanta, Ga.

W-81 Sub-No. 3, McAllister Lightage Line, Inc., & W-457 Sub-No. 6, McAllister Brothers, Inc., now assigned February 4, 1974, at New York, N.Y., is cancelled and transferred to Modified Procedure.

MC-81956, Centropolis Transfer Co., Inc., now assigned February 6, 1974, at Jefferson City, Mo., is cancelled and reassigned February 6, 1974, in Room 609, Federal Office Bldg., 911 Walnut Street, Kansas City, Mo. No. 35717, Southern Railway Company—Petition for Declaratory Order, No. 35717 Sub 1, Louisville and Nashville Railroad Company—Petition for Declaratory Order—Refund Rule—Electrical Appliances, continued to March 19, 1974, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 20872 Sub 18, Lima City Trucking Company, Inc., now assigned February 4, 1974, at Chicago, Ill., is postponed indefinitely. MC 2202 Sub 447, Roadway Express, Inc., now assigned February 25, 1974, at Cleveland, Ohio, is cancelled and the applicant is dismissed.

(SEAL) ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-2488 Filed 1-29-74; 8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 25, 1974

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit the

of new sources and air pollutants subject to the provisions of this section.

(4) The provisions of this section shall apply to any new source owned or operated by the United States.

(c) (1) Each State may develop and submit to the Administrator a procedure for implementing and enforcing standards of performance for new sources located in such State. If the Administrator finds the State procedure is adequate, he shall delegate to such State any authority he has under this Act to implement and enforce such standards (except with respect to new sources owned or operated by the United States).

(2) Nothing in this subsection shall prohibit the Administrator from enforcing any applicable standard of performance under this section.

(d) (1) The Administrator shall prescribe regulations which shall establish a procedure similar to that provided by section 110 under which each State shall submit to the Administrator a plan which (A) establishes emission standards for any existing source for any air pollutant (i) for which air quality criteria have not been issued or which is not included on a list published under section 108(a) or 112(b)(1)(A) but (ii) to which a standard of performance under subsection (b) would apply if such existing source were a new source, and (B) provides for the implementation and enforcement of such emission standards.

(2) The Administrator shall have the same authority —

(A) to prescribe a plan for a State in cases where the State fails to submit a satisfactory plan as he would have under section 110(c) in the case of failure to submit an implementation plan, and

(B) to enforce the provisions of such plan in cases where the State fails to enforce them as he would have under sections 113 and 114 with respect to an implementation plan.

(e) After the effective date of standards of performance promulgated under this section, it shall be unlawful for any owner or operator of any new source to operate such source in violation of any standard of performance applicable to such source.

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Sec. 112.(a) For purposes of this section:

(1) The term 'hazardous air pollutant' means an air pollutant to which no ambient air quality standard is applicable and which in the judgment of the Administrator may cause, or contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.

(2) The term 'new source' means a stationary source the construction or modification of which is commenced after the Administrator proposes regulations under this section establishing an emission standard which will be applicable to such source.

(3) The terms 'stationary source', 'modification', 'owner or operator' and 'existing source' shall have the same meaning as such terms have under section 111(a).

(b) (1) (A) The Administrator shall, within 90 days after the date of enactment of the Clean Air Amendments

of 1970, publish (and shall from time to time thereafter revise) a list which includes each hazardous air pollutant for which he intends to establish an emission standard under this section.

(B) Within 180 days after the inclusion of any air pollutant in such list, the Administrator shall publish proposed regulations establishing emission standards for such pollutant together with a notice of a public hearing within thirty days. Not later than 180 days after such publication, the Administrator shall prescribe an emission standard for such pollutant, unless he finds, on the basis of information presented at such hearings, that such pollutant clearly is not a hazardous air pollutant. The Administrator shall establish any such standard at the level which in his judgment provides an ample margin of safety to protect the public health from such hazardous air pollutant.

(C) Any emission standard established pursuant to this section shall become effective upon promulgation.

(2) The Administrator shall, from time to time, issue information on pollution control techniques for air pollutants subject to the provisions of this section.

(c) (1) After the effective date of any emission standard under this section —

(A) no person may construct any new source or modify any existing source which, in the Administrator's judgment, will emit an air pollutant to which such standard applies unless the Administrator finds that such source if properly operated will not cause emissions in violation of such standard, and

(B) no air pollutant to which such standard applies may be emitted from any stationary source in violation of such standard, except that in the case of an existing source —

(i) such standard shall not apply until 90 days after its effective date, and

(ii) the Administrator may grant a waiver permitting such source a period of up to two years after the effective date of a standard to comply with the standard, if he finds that such period is necessary for the installation of controls and that steps will be taken during the period of the waiver to assure that the health of persons will be protected from imminent endangerment.

(2) The President may exempt any stationary source from compliance with paragraphs (1) for a period of not more than two years if he finds that the technology to implement such standards is not available and the operation of such source is required for reasons of national security. An exemption under this paragraph may be extended for one or more additional periods, each period not to exceed two years. The President shall make a report to Congress with respect to each exemption (or extension thereof) made under this paragraph.

(d)(1) Each State may develop and submit to the Administrator a procedure for implementing and enforcing emission standards for hazardous air pollutants for stationary sources located in such State. If the Administrator finds the State procedure is adequate, he shall delegate to such State any authority he has under this Act to implement and enforce such standards (except with respect to stationary sources owned or operated by the United States).

CLEAN AIR ACT

(2) Nothing in this subsection shall prohibit the Administrator from enforcing any applicable emission standard under this section.

FEDERAL ENFORCEMENT

Sec. 113. (a)(1) Whenever, on the basis of any information available to him, the Administrator finds that any person is in violation of any requirement of an applicable implementation plan, the Administrator shall notify the person in violation of the plan and the State in which the plan applies of such finding. If such violation extends beyond the 30th day after the date of the Administrator's notification, the Administrator may issue an order requiring such person to comply with the requirements of such plan or he may bring a civil action in accordance with subsection (b).

(2) Whenever, on the basis of information available to him, the Administrator finds that violations of an applicable implementation plan are so widespread that such violations appear to result from a failure of the State in which the plan applies to enforce the plan effectively, he shall so notify the State. If the Administrator finds such failure extends beyond the 30th day after such notice, he shall give public notice of such finding. During the period beginning with such public notice and ending when such State satisfies the Administrator that it will enforce such plan (hereafter referred to in this section as 'period of Federally assumed enforcement'), the Administrator may enforce any requirement of such plan with respect to any person -

(A) by issuing an order to comply with such requirement, or

(B) by bringing a civil action under subsection (b).

(3) Whenever, on the basis of any information available to him, the Administrator finds that any person is in violation of section 111(e) relating to new source performance standards) or 112(c) (relating to standards for hazardous emissions), or is in violation of any requirement of section 114 (relating to inspections, etc.), he may issue an order requiring such person to comply with such section or requirement, or he may bring a civil action in accordance with subsection (b).

(4) An order issued under this subsection (other than an order relating to a violation of section 112) shall not take effect until the person to whom it is issued has had an opportunity to confer with the Administrator concerning the alleged violation. A copy of any order issued under this subsection shall be sent to the State air pollution control agency of any State in which the violation occurs. Any order issued under this subsection shall state with reasonable specificity the nature of the violation, specify a time for compliance which the Administrator determines is reasonable, taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. In any case in which an order under this subsection (or notice to a violator under paragraph (1) is issued to a corporation, a copy of such order (or notice) shall be issued to appropriate corporate officers.

(b) The Administrator may commence a civil action for appropriate relief, including a permanent or temporary injunction, whenever any person

(1) violates or fails to comply with any order issued under this subsection

(2) violates any requirement of an applicable implementation plan, or

(3) violates section 111(e) or section 112(c), shall be

(4) fails or refuses to comply with any order issued under this subsection

section 114.

Any action under this subsection shall be brought in the district court of the United States which the defendant is located or resides, or in which the business, and such court shall have jurisdiction to enforce such violation and to require compliance. No commencement of such action shall be given priority over any appropriate State air pollution control agency.

(c) (1) Any person who knowingly -

(A) violates any requirement of an applicable implementation plan (i) during any period of Federally assumed enforcement, (ii) more than 30 days after having been notified by the Administrator under subsection (a) (1) that such person is violating such requirement, or

(B) violates or fails or refuses to comply with any order issued by the Administrator under subsection (a), or

(C) violates section 111(e) or section 112(c), shall be punished by a fine of not more than \$25,000 per day of violation, or by imprisonment for not more than one year, or by both. If the conviction is for a violation committed after the first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two years, or by both.

(2) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Act, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months, or by both.

INSPECTIONS, MONITORING, AND ENTRY

Sec. 114 (a) For the purpose (i) of developing or assisting in the development of any implementation plan under section 110 or 111(d), any standard or performance under section 111, or any emission standard under section 112, (ii) of determining whether any person is in violation of any such standard or any requirement of such a plan, or (iii) carrying out section 303 -

(1) the Administrator may require the owner or operator of any emission source to (A) establish and maintain such records, (B) make such reports, (C) install, use, and maintain such monitoring equipment or methods, (D) sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (E) provide such other information, as he may reasonably require; and

(2) the Administrator or his authorized representative, upon presentation of his credentials -